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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant  
application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/247,874
Filing Date	02/10/99
Examiner Name	R. Schnizer
First Named Inventor	Duff
Group Art Unit	1632
Attorney Docket Number	MSA-4.01

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. **Enclosed**
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

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2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 370.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	John D. Quisel	Registration No. (Attorney/Agent)	47,874
Signature	<i>John D. Quisel</i>	Date	January 3, 2002

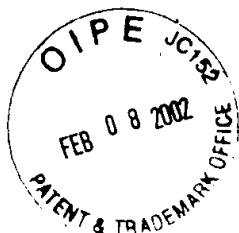
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Name (Print /Type)	Kristen Willett	Date	Jan. 3, 2002
Signature	<i>Kristen Willett</i>		

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Attorney Docket No. MSA-4.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Duff et al. )  
Application No.: 09/247,874 ) Art Unit: 1632  
Filed: February 10, 1999 )  
For: *Therapeutics and Diagnostics Based* ) Examiner:  
*on a Novel IL-1B Mutation* ) Schnizer, R.  
Customer Number: 25181 )

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*Kristen Willett*

Signed: *Kristen Willett*

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Commissioner for Patents  
Washington, DC 20231

RESPONSE ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Dear Sir:

In response to the Notice of Allowance and Examiner's Amendment dated Oct. 3, 2001, Applicants submit the following amendments and remarks. A Request for Continued Examination is filed herewith under 37 C.F.R. § 1.114 generally, and particularly § 1.114(a)(1). In addition, Applicants provide, as requested, a Substitute Declaration and Formal Drawings.

IN THE CLAIMS: